

REMARKS

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Claims 1-36 remain pending in this application. Claims 1-36 stand rejected under 35 USC Section 103 as allegedly unpatentable over Fischer in view of either Stringer et al or Freeny, Jr.

10 The Examiner acknowledges that the proposed combination differs from that of the invention in the application to a particular storage media and the actual meaning of a "protected area." Applicants note the Examiner's statement in the Office Action "that if the "protected area is more clearly defined and an more explicit non-empirical function for the digital signature is claimed, the rejection ... may be overcome."

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In a telephone interview on October 19, 1999 between applicants' representative Keith A. Cushing and Examiner Cangialosi, the Examiner indicated allowability if a) the language "protected area" is made more definite and certain; and b) a non-empirical reference to "digital signature" is made. A further interview on November 16, 1999 between applicants' representative 20 Keith A. Cushing and Examiner Cangialosi revealed that the objection to the reference to "digital signature" stemmed from the alleged ambiguity in the term "protected area." It was agreed that productive clarification of the term "protected area" would likely also address the alleged ambiguities in the reference to the "digital signature." Applicants, therefore, address in this

response ambiguity of the term “protected area” to better define such portion of the digital certificate claimed in accordance with the telephone interviews.

As discussed in the most recent interview, claim 1 now calls for further steps in creating the 5 digital certificate including selection of a character set, designation of a border character, providing the certificate as a sequence of members of the selected character set, and defining the protected area as characters occurring between one and a next occurrence of the border character. Claim 2 has been amended to address an exception condition where the border character occurs as an intended portion of the digital content and must be distinguished in function relative to the 10 protected area.

A similar amendment to claim 15 now specifies that the certificate data structure define the protected area as a sequence of characters occurring between one and a next occurrence of a designated protected area border character.

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Claim 1 and its dependent claims 2-14 as well as claim 15 and its dependent claims 16-28 should now be considered allowable.

Claim 29 has been amended only to include the word “and” preceding the last element as 20 a matter of form and non-substantive clarification only. Should the Examiner find acceptable the

clarifications to claims 1-28 regarding the term “protected area”, applicants are willing to make
corresponding changes to claims 29-36.

While applicants have addressed the Examiner's concerns as to alleged ambiguities,
5 applicants' fail to appreciate and formally traverse the obviousness of the claimed invention over
the cited combination of Fischer and either of Freeny or Stringer. More particularly, and in
reference to the invention of claim 29, the cited references neither show or suggest the claimed
invention. Applicants, will appreciate a more detailed treatment of the cited references, as required
to support the rejection under 35 USC Section 103, including specific identification in each
10 reference where the claimed subject matter elements may be found. As stated, the outstanding
rejection lacks sufficient detail to make appropriate response. Applicants respectfully suggest that
the Examiner's position is better stated under 35 USC Section 112.

Applicants agree with the Examiner, however, that no cited reference teaches or suggests a
15 “protected area” as under the teachings of the present specification. As noted above, applicants are
willing to clarify the term “protected area” in claims 29-36 in order to obtain allowance.

Finally, applicants note that the Office Action indicates that the Power of Attorney and
Small Entity Statement remain unsigned. These papers were signed and submitted to the United
20 States Patent and Trademark Office as missing parts. Applicants enclose herewith copies of a
missing parts submission including: transmittal letter, signed Declaration and Power of Attorney;

signed Small Entity Statement, Petition for Extension of Time to Submit Missing Parts, and a return postcard indicating receipt in the United States Patent and Trademark Office.

5 In light of the above amendment and remarks and interviews with Examiner Cangialosi, reconsideration and withdrawal of the outstanding rejections is respectfully requested.

10 Respectfully submitted,

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CERTIFICATE OF MAILING

20 I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the US Postal Service as First Class Mail, in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231, on the date indicated below.

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Date 11-22-99

Keith A. Cushing
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